

ASSEMBLY BILL

No. 1563

Introduced by Assembly Member Donnelly

January 29, 2014

An act to amend Section 16520 of the Penal Code, relating to firearms.

LEGISLATIVE COUNSEL'S DIGEST

AB 1563, as introduced, Donnelly. Firearms.

Existing law generally regulates the transfer and possession of firearms. Existing law defines “firearm” in various ways for various regulatory purposes.

This bill would make technical, nonsubstantive changes to the provisions defining “firearm” for those purposes.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 16520 of the Penal Code is amended to
2 read:
3 16520. (a) As used in this part, *the term* “firearm” means a
4 device, designed to be used as a weapon, from which is expelled
5 through a barrel, a projectile by the force of an explosion or other
6 form of combustion.
7 (b) As used in the following provisions, *the term* “firearm”
8 includes the frame or receiver of the weapon:
9 (1) Section 16550.
10 (2) Section 16730.

- 1 (3) Section 16960.
- 2 (4) Section 16990.
- 3 (5) Section 17070.
- 4 (6) Section 17310.
- 5 (7) Sections 26500 to 26588, inclusive.
- 6 (8) Sections 26600 to 27140, inclusive.
- 7 (9) Sections 27400 to 28000, inclusive.
- 8 (10) Section 28100.
- 9 (11) Sections 28400 to 28415, inclusive.
- 10 (12) Sections 29010 to 29150, inclusive.
- 11 (13) Sections 29610 to 29750, inclusive.
- 12 (14) Sections 29800 to 29905, inclusive.
- 13 (15) Sections 30150 to 30165, inclusive.
- 14 (16) Section 31615.
- 15 (17) Sections 31705 to 31830, inclusive.
- 16 (18) Sections 34355 to 34370, inclusive.
- 17 (19) Sections 8100, 8101, and 8103 of the Welfare and
- 18 Institutions Code.
- 19 (c) As used in the following provisions, *the term* “firearm” also
- 20 includes a rocket, rocket propelled projectile launcher, or similar
- 21 device containing an explosive or incendiary material, whether or
- 22 not the device is designed for emergency or distress signaling
- 23 purposes:
- 24 (1) Section 16750.
- 25 (2) Subdivision (b) of Section 16840.
- 26 (3) Section 25400.
- 27 (4) Sections 25850 to 26025, inclusive.
- 28 (5) Subdivisions (a), (b), and (c) of Section 26030.
- 29 (6) Sections 26035 to 26055, inclusive.
- 30 (d) As used in the following provisions, *the term* “firearm” does
- 31 not include an unloaded antique firearm:
- 32 (1) Subdivisions (a) and (c) of Section 16730.
- 33 (2) Section 16550.
- 34 (3) Section 16960.
- 35 (4) Section 17310.
- 36 (5) Chapter 6 (commencing with Section 26350) of Division 5
- 37 of Title 4.
- 38 (6) Chapter 7 (commencing with Section 26400) of Division 5
- 39 of Title 4.
- 40 (7) Sections 26500 to 26588, inclusive.

- 1 (8) Sections 26700 to 26915, inclusive.
- 2 (9) Section 27510.
- 3 (10) Section 27530.
- 4 (11) Section 27540.
- 5 (12) Section 27545.
- 6 (13) Sections 27555 to 27570, inclusive.
- 7 (14) Sections 29010 to 29150, inclusive.
- 8 (15) Section 25135.
- 9 (e) As used in Sections 34005 and 34010, *the term* “firearm”
- 10 does not include a destructive device.
- 11 (f) As used in Sections 17280 and 24680, *the term* “firearm”
- 12 has the same meaning as in Section 922 of Title 18 of the United
- 13 States Code.
- 14 (g) As used in Sections 29010 to 29150, inclusive, *the term*
- 15 “firearm” includes the unfinished frame or receiver of a weapon
- 16 that can be readily converted to the functional condition of a
- 17 finished frame or receiver.